

REMARKS/ARGUMENTS

Claims pending in the instant application are numbered 1-24. Claims 1-24 presently stand rejected. The Applicant respectfully requests that the instant application be reconsidered in view of the following remarks.

35 U.S.C. § 112 Rejections

In the March 11, 2006 Office Action, claim 7 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Accordingly, Applicant has amended claim 7 to remove recitation of “such as”. Thus, Applicant respectfully requests the withdrawal of the §112 rejection of claim 7.

35 U.S.C. § 102 Rejections

In the March 11, 2006 Office Action, claims 1, 2, 7, 8, 11, 12, 14, 18, 21, 23, and 24 are rejected under 35 U.S.C. § 102(b) as being anticipated by Younse (US 4,805,023).

With regard to a rejection under 35 U.S.C. § 102, MPEP § 2131 sets forth that

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)

Independent claim 1

Amended independent claim 1 currently recites, inter alia, “...*wherein the pixel array and the dead pixel comparator circuitry are formed on a single integrated circuit...*” Applicant respectfully submits that Younse fails to disclose this expressly recited element as is more fully

explained below.

Younse discloses generally a programmable CCD imager defect compensator. In particular, Younse discloses illuminating a CCD **under test** to determine the locations of defective pixels in the CCD. Younse, col. 2, lines 52-62. Younse then discloses that these locations are **permanently** burned into a PROM. Younse, col. 2, lines 62-66. Thus, Younse discloses testing the CCD for defective pixels **only once**, and then permanently storing the locations of the defective pixels to a PROM. To be sure, Younse further discloses that the programmed PROM is “unique to the CCD for which it is programmed and will be associated therewith”. Younse, col. 2, lines 66-68. Nowhere in the cited reference, does Younse disclose forming a pixel array and a dead pixel comparator circuitry on a single integrated circuit. In fact, there would be no need to do so in Younse, because Younse teaches that the CCD is only tested once. Furthermore, Younse can only write to the PROM device once. Thus, Younse teaches away from forming the pixel array and a dead pixel comparator circuitry onto a single integrated circuit since Younse would be unable to store anymore dead pixel locations to the PROM device.

Consequently, Younse fails to disclose each and every element of claim 1, as required under M.P.E.P. § 2131. Accordingly, Applicant requests that the instant §102 rejection of claim 1 be withdrawn.

Independent claim 8

Amended independent claim 8 currently recites, inter alia, “...*sequentially examining the signals from each pixel in the MOS imaging array to determine if each pixel is a dead pixel...*” and “...*storing a location number of each dead pixel into a reprogrammable memory...*”

Applicant respectfully submits that Younse fails to disclose these expressly recited elements as is more fully explained below.

As discussed above, Younse discloses a programmable **CCD** imager defect compensator. In particular, Younse discloses that the Younse invention relates to “CCD imager cameras” and “a system for compensating for defects in the CCD”. Younse, col. 1, lines 10-12. Since, Younse discloses compensating for defects in a CCD, it necessarily fails to disclose examining signals from each pixel in a **MOS** imaging array, as expressly recited in claim 8.

Furthermore, Younse discloses **permanently** storing the locations of defective pixels in the CCD to a PROM device. Since, Younse discloses permanently burning the locations to a PROM device, it necessarily fails to disclose storing a location number of each dead pixel into a **reprogrammable** memory, as expressly claimed by Applicant.

Consequently, Younse fails to disclose each and every element of claim 8, as required under M.P.E.P. § 2131. Accordingly, Applicant requests that the instant §102 rejection of claim 8 be withdrawn.

Independent claim 14

Amended independent claim 14 currently recites, inter alia, “...repeating steps (a) to (e) each time the MOS imaging array is powered on for normal operation ...” Applicant respectfully submits that Younse fails to disclose these expressly recited element as is more fully explained below.

As discussed above, Younse discloses detecting defects in the CCD **once, under test**. Since, Younse discloses testing the CCD once, under test, it necessarily fails to disclose repeating Applicant recited steps each time the MOS sensor is powered on for normal operation. In fact, as mentioned above, there is no need to repeat the steps of detecting the locations of defective pixels in Younse because Younse discloses storing the locations in a PROM device that can only be written to once.

Consequently, Younse fails to disclose each and every element of claim 14, as required under M.P.E.P. § 2131. Accordingly, Applicant requests that the instant §102 rejection of claim 14 be withdrawn.

Independent claim 18

Amended independent claim 18 currently recites, inter alia, “...**updating** data stored in a storage area stored during a **previous** initialization of the MOS imaging array...” Applicant respectfully submits that Younse fails to disclose this expressly recited element as is more fully explained below.

As discussed above, Younse discloses detecting defects in the CCD only **once, under test**. Since Younse discloses detecting defects in the CCD only once, it necessarily fails to disclose **updating** data stored in a storage area stored during a **previous** initialization. That is, since Younse only detects defects once, there would be no previous data to update, nor would there have been a previous initialization. Furthermore, since Younse discloses use of a PROM device which can only be written to once, Younse cannot update data in the PROM device.

Consequently, Younse fails to disclose each and every element of claim 18, as required under M.P.E.P. § 2131. Accordingly, Applicant requests that the instant §102 rejection of claim 18 be withdrawn.

Independent claim 21

Amended independent claim 21 includes similar novel elements as independent claim 1. Thus, by analogy to the reasons provided above in support of independent claim 1, Applicant requests that the instant §102 rejection of claim 21 also be withdrawn.

35 U.S.C. § 103 Rejections

In the January 11, 2007 Office Action, claims 3-6, 9, 10, 13, 15-17, 19, 20 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Younse in view of various combinations of Lin (US 4,920,428), Katoh (US 5,796,430), and Ackland ("Camera on a Chip").

With regard to a rejection under 35 U.S.C. § 103, MPEP § 2143.03 sets forth that

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988).

As discussed above, Younse fails to disclose each and every element of independent claims 1, 8, 14, 18, and 21. Lin, Katoh, and Ackland do not cure the deficiencies of Younse. In fact, Applicant respectfully submits that all of the cited references whether taken singularly or in combination fails to disclose, teach or suggest each and every element of Applicants' claims, as required under M.P.E.P. §2143.03. Thus, dependent claims 3-6, 9, 10, 13, 15-17, 19, 20 and 22 are novel and nonobvious over the cited references for at least the same reasons as discussed above in connection with their respective independent claims, in addition to adding further limitations of their own. Accordingly, Applicant respectfully requests that the instant § 102 and § 103 rejections of the dependent claims also be withdrawn.

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The Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date:

5-10-07



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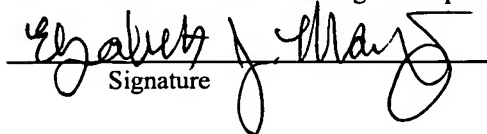
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